

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

DEC 12 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

SVETA KIRAKOSYAN,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-72532

Agency No. A75-673-243

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted December 5, 2005**

Before: GOODWIN, W. FLETCHER, and FISHER, Circuit Judges.

Sveta Kirakosyan, a native of Kazakhstan and citizen of Armenia petitions for review of the Board of Immigration Appeals' summary affirmance of the Immigration Judge's ("IJ") order denying her application for asylum, withholding of removal, and relief under the Convention Against Torture ("CAT"). We have

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

jurisdiction pursuant to 8 U.S.C. § 1252. We review adverse credibility findings for substantial evidence, and we deny the petition for review. *See Kasnecovic v. Gonzales*, 400 F.3d 812, 813 (9th Cir. 2005).

The IJ's adverse credibility finding was supported by substantial evidence that went to the heart of Kirakosyan's contentions. *See Chebchoub v. INS*, 257 F.3d 1038, 1043 (9th Cir. 2001).

Absent credible evidence establishing Kirakosyan's eligibility for asylum, she also cannot show that she is eligible for withholding of removal. *See Farah v. Ashcroft*, 348 F.3d 1153, 1156 (9th Cir. 2003).

In addition, the IJ's denial of relief under the CAT is supported by substantial evidence. *See id.* at 1156–57 (rejecting petitioner's CAT contentions because petitioner failed to present any additional credible evidence).

The voluntary departure period was stayed, and that stay will expire upon issuance of the mandate. *See Desta v. Ashcroft*, 365 F.3d 741, 750 (9th Cir. 2004).

PETITION FOR REVIEW DENIED.